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Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization
16-24 February 2016

Draft report

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I. Introduction

1. The Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization was convened in accordance with General Assembly resolution 70/117 and met at United Nations Headquarters from 16 to 24 February 2016.

2. In accordance with paragraph 5 of General Assembly resolution 50/52, the Special Committee was open to all States Members of the United Nations.

3. The Special Committee held three meetings: the 281st to 283rd, on 16, 17 and 24 February, respectively. The Working Group of the Whole, established at the 281st meeting, held four meetings, on 17 to 19, and 22 February, respectively.

4. The session was opened by Odo Tevi (Vanuatu), in his capacity as Chair of the previous session of the Special Committee.

5. At its 281st meeting, on 16 February, the Special Committee, bearing in mind the terms of the agreement regarding the election of officers reached at its session in 1981,[1] elected the following members of its Bureau:

Chair:
Janine Elizabeth Coye-Felson (Belize)

Vice-Chair:
Mehdi Remaoun (Algeria)
Nicolae Comănescu (Romania)

Rapporteur:
Nadia Alexandra Kalb (Austria)

[1] A/36/33, para. 7.

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6. At its 282nd meeting, on 17 February, the Special Committee elected the following member of its Bureau:

Vice-Chair:
Vasiliki Krasa (Cyprus)

7. The Bureau of the Special Committee also served as the Bureau of the Working Group of the Whole.

8. The Director of the Codification Division of the Office of Legal Affairs acted as Secretary of the Special Committee. The Senior Legal Officer of the Division acted as Assistant Secretary of the Special Committee. The Division provided substantive services for the Special Committee and the Working Group.

9. At its 281st meeting, the Special Committee adopted the following agenda:

1. Opening of the session.
2. Election of officers.
3. Adoption of the agenda.
4. Organization of work.
5. Consideration of the questions referred to in General Assembly resolution 70/117, in accordance with the mandate of the Special Committee as set out in that resolution.
6. Adoption of the report.

10. General statements touching on all or several items were made at the 281st and 282nd meetings. Their substance is reflected in the relevant sections of the present report.

11. With regard to the question of the maintenance of international peace and security, the Special Committee had before it all the related reports of the Secretary-General,[2] including the most recent report, entitled "Implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions",[3] and the 1998 report on the matter containing a summary of the deliberations and main findings of the ad hoc expert group meeting convened pursuant to paragraph 4 of General Assembly resolution 52/162.[4]

12. With regard to the question of the maintenance of international peace and security, the Special Committee also had before it a revised proposal submitted at the 1998 session by Libya with a view to strengthening the role of the United Nations in the maintenance of international peace and security;[5] a working paper[6] submitted by the Bolivarian Republic of Venezuela during the 2011 session, containing a further revised version of the proposal submitted by the same

[2] A/48/573-S/26705, A/49/356, A/50/60-S/1995/1, A/50/361, A/50/423, A/51/317, A/52/308, A/53/312, A/54/383 and Add.1, A/55/295 and Add.1, A/56/303, A/57/165 and Add.1, A/58/346, A/59/334, A/60/320, A/61/304, A/62/206 and Corr.1, A/63/224, A/64/225, A/65/217, A/66/213, A/67/190, A/68/226 and A/69/119.

[3] A/70/119.

[4] A/53/312.

[5] See A/53/33, para. 98.

[6] A/AC.182/L.130, as further revised by the sponsor delegation. See A/66/33, annex.

delegation at the 2010 session, entitled "Open-ended working group to study the proper implementation of the Charter of the United Nations with respect to the functional relationship of its organs";[7] a further revised version, submitted at the 2014 session,[8] of the revised working paper submitted by Belarus and the Russian Federation at the 2005 session containing a draft General Assembly resolution;[9] and a working paper submitted by Cuba on the strengthening of the role of the Organization and enhancing its effectiveness: adoption of recommendations;[10] a working paper submitted by Ghana at the present session on strengthening the relationship and cooperation between the United Nations and regional arrangements or agencies in the peaceful settlement of disputes;[11] as well as a proposal submitted at the present session on behalf of the States Members of the United Nations that are members of the European Union on the consideration of the question of the implementation of the provisions of the Charter relating to assistance to third States affected by the application of sanctions.[12]

13. With regard to the question of the peaceful settlement of disputes, the Special Committee had before it a proposal by the Russian Federation to recommend that the Secretariat be requested to establish a website dedicated to the peaceful settlement of disputes between States and to update the *Handbook on the Peaceful Settlement of Disputes between States*.[13] It also had before it a proposal submitted on behalf of the Non-Aligned Movement during the 2015 session entitled "Pacific settlement of disputes and its impact on the maintenance of peace".[14] The Special Committee also received at the present session a proposal submitted on behalf of the Non-Aligned Movement on the commemoration of the seventieth anniversary of the International Court of Justice.[15]

14. At its 283rd meeting, on 24 February, the Special Committee adopted its report on its 2016 session.

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[7] See A/65/33, annex.

[8] See A/69/33, para. 37.

[9] See A/60/33, para. 56. At the 1999 session of the Special Committee, Belarus and the Russian Federation submitted a working paper containing a draft General Assembly resolution (A/AC.182/L.104) in which it was recommended that an advisory opinion be requested from the International Court of Justice as to the legal consequences of the resort to the use of force by States without prior authorization by the Security Council, except in the exercise of the right to self-defence. At the same session, following discussions, the sponsors submitted a revised version of the draft resolution for future consideration (A/AC.182/L.104/Rev.1; see A/54/33, paras. 89-101). A further revised version was submitted at the 2001 session (A/AC.182/L.104/Rev.2; see A/56/33, para. 178).

[10] See A/67/33, annex.

[11] A/AC.182/L.141.

[12] A/AC.182/L.142.

[13] See A/69/33, para. 52 (as subsequently revised by the sponsor delegation).

[14] See A/70/33, annex I.

[15] A/AC.182/L.143.